Annual Report

Missouri Long-Term Care Ombudsman

ADVOCATE. EDUCATE. EMPOWER.

FFY 2024

Missouri Long-Term Care Ombudsman

The Office of the Missouri State Long-Term Care Ombudsman is a programmatically independent advocacy service located within the Missouri Department of Health and Senior Services (DHSS). Points of view, opinions or positions of the Ombudsman do not necessarily represent the view, positions or policy of DHSS. This annual report is compiled and distributed to meet federal law requirements.

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Health.Mo.Gov/Ombudsman

State Ombudsman Introduction

Dear Long-Term Care Residents and Stakeholders,

I am pleased to present the 2024 Annual Report of the Missouri Office of the State Long-Term Care Ombudsman (Office).

The Long-Term Care Ombudsman Program advocates for residents living in long-term care facilities across the state. This includes all levels of care and veteran's homes. Ombudsmen are critical in ensuring residents have someone to speak on their behalf. By conducting routine visits, ombudsmen help residents solve concerns that impact their quality of life and quality of care. Our goal is to build a personal and trusting relationship with residents, especially those who are hesitant to speak up. We provide education to facilities regarding resident rights per state and federal regulations. When a facility is pending closure, we are there to ensure residents have a choice in where they are transferred and reassure residents to minimize trauma during the move. After the move is complete, an ombudsman visits each resident in their new facility to observe how they are adjusting and assist as needed.

Ombudsmen help ensure residents are not improperly discharged from a facility and assists with appeals. The Ombudsman Program provides community education and awareness to the public and assists with the process of finding facility placement for individuals. We help fill in the gap between surveys completed by the State Survey Agency (the Division of Regulation and Licensure) by having eyes on residents more routinely and assisting with concerns before they escalate.

I welcome your feedback and am eager to partner with anyone interested in improving the quality of care for Missouri's long-term care residents.

Jenny Hollandsworth

Jenny Hollandsworth
State Long-Term Care Ombudsman

Executive Summary

Overview

- The Missouri Long-Term Care Ombudsman Program is a federally mandated advocacy program for residents of long-term care facilities that provides informal complaint resolution and promotes system change on behalf of residents' interests. The program consists of a state office housed at the Missouri Department of Health and Senior Services and regional ombudsman contracted with the Area Agencies on Aging (AAA).
- There are approximately 18.50 full-time equivalent regional ombudsmen serving residents in over 1,100 long-term care facilities across 115 counties.
- In Federal Fiscal Year (FFY) 2024, the program responded to 2,636 complaints.
- The top three complaint categories for FFY 2024 included:
    - Other rights and preferences - This includes cohabitation, smoking/nonsmoking, right to refuse care/treatment and other rights issues or preferences.
    - Respond to requests for assistance - Failure to respond or promptly respond to call lights or requests for assistance goes unanswered.
    - Resident property - including money
- There continue to be too few long-term care ombudsmen in Missouri to meet the high—and growing—demand for services. As such, funding is one of the primary barriers to providing excellent ombudsman services to Missouri's long-term care residents.

Recommendation to Strengthen the Missouri Long-Term Care Ombudsman Program:

- Support the Office of the State Long-Term Care Ombudsman by increasing state funding by $2.425 million to add 25 more paid staff, contracted with the AAAs.

An Introduction: The Missouri Office of the State Long-Term Care Ombudsman Program

The Missouri Long-Term Care Ombudsman Program is an advocacy program for residents of long-term care facilities. It was established under the federal Older Americans Act of 1965. Every state and territory must have an Office of the State Long-Term Care Ombudsman (Office) that is established by the State Unit on Aging and headed by a full-time State Long-Term Care Ombudsman (State Ombudsman) who directs the program statewide. In Missouri, the Office is housed within the Missouri Department of Health and Senior Services (DHSS), Missouri's State Unit on Aging. The State Ombudsman is required to:

- Identify, investigate and resolve complaints made by or on behalf of residents.
- Provide information to residents about long-term services and supports.
- Ensure that residents have regular and timely access to an ombudsman.
- Represent the interests of residents before governmental agencies and seek administrative, legal, and other remedies to protect residents.
- Analyze, comment on and recommend changes in laws and regulations pertaining to the health, safety, welfare and rights of residents.

Ombudsman services are free and confidential and are available statewide.

Ombudsman in Action: The ombudsman was contacted by a concerned friend, who stated the resident believed they were being taken advantage of by their durable power of attorney (DPOA) who has access to all their money. The resident found that $31,000 had been withdrawn from the bank. The resident had not given the DPOA permission to withdraw the money and was worried that the DPOA had stolen the money. With the permission of the resident, the ombudsman spoke to facility staff, who stated they were aware of the resident's concerns, and noted that the resident is currently behind on their rent, as they DPOA has not paid the bill. The ombudsman advised the resident that a hotline call could be made to Adult Protection Services (APS) to report the financial exploitation. The ombudsman also educated facility staff on their obligation to report financial exploitation. The facility reported the exploitation, and an APS case was opened.

Structure of the Office

The Office is comprised of a State Office, housed at DHSS, and 10 regional ombudsman programs that provide advocacy services at the local level statewide. The State Office contracts with each of the state's 10 AAA. Six of the 10 agencies further contract with local, community-based organizations and other entities to provide ombudsman services. While these local entities are responsible for the personnel management of ombudsmen they house, the State Ombudsman is responsible for managing all ombudsman activities statewide. The Office consists of the State Ombudsman, Deputy State Ombudsman, Assistant State Ombudsman and a part-time Administrative Assistant and five part-time, temporary Ombudsman Representatives. The AAAs employs 18.50 FTE regional long-term care ombudsmen who provide services in over 1,100 facilities across the state. The program is also supported by approximately 70 trained and certified volunteers who increase its reach by visiting facilities and educating residents.

FFY 2024: A Year in Review

FFY 2024 was a busy year for the Missouri Long-Term Care Ombudsman Program.

- Appointing the Assistant State Ombudsman as the facility closure liaison allowed for increased communication with the Division of Regulation and Licensure, Section for Long-Term Care Regulation when facility closures occur. We partnered with this division to create policies and procedures that worked for their agency and our program to better assist residents during a closure.

- The use of American Rescue Plan Act (ARPA) funds made a significant impact on the program, allowing for five temporary part-time ombudsman staff on board to support the small team and provide focused attention on residential care facilities and assisted living facilities. These types of facilities are often visited less frequently than skilled nursing facilities due to the lack of ombudsmen available. This opportunity helped to demonstrate the significant impact of increased staffing. Between August of 2023 and March of 2025, 1,879 visits were made to residential care and assisted living facilities. Information and assistance were provided 554 times to individuals or facility staff, and 253 complaints were investigated.

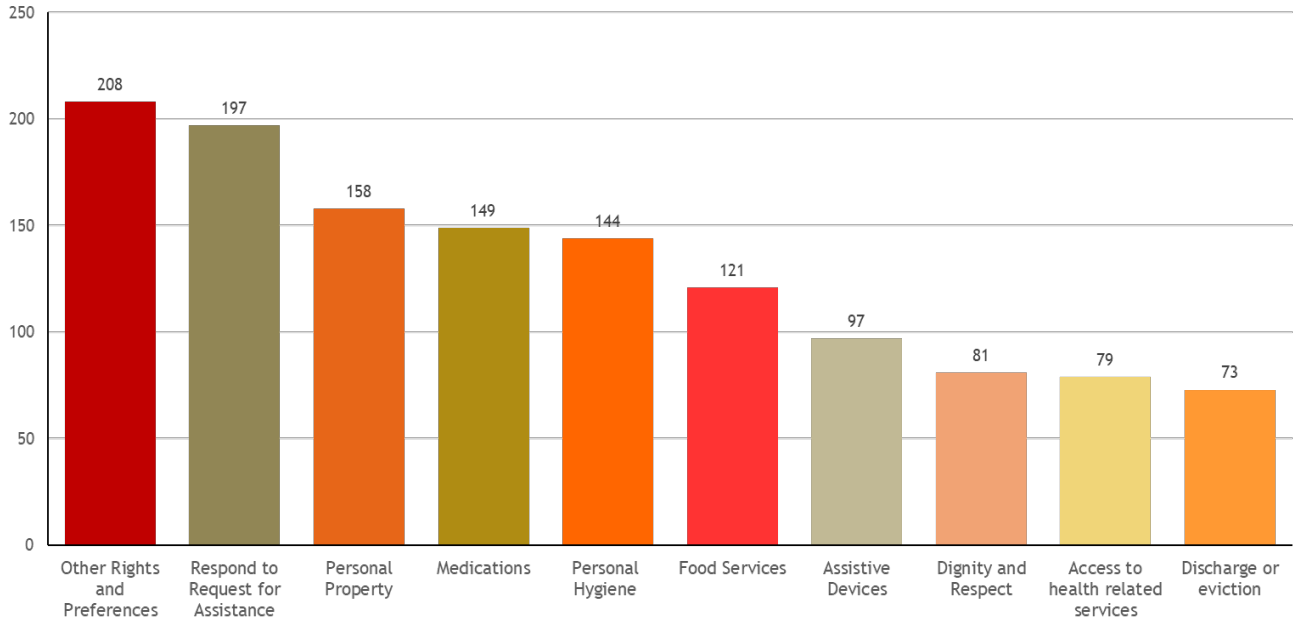
- The Long-Term Care Ombudsman Program Bed and Service Availability Dashboard was developed. Facilities and the public can view the number of available beds, and which residents they can serve, i.e., memory care, behavioral health, bariatric, etc. This information is beneficial to facilities, families,

hospital discharge planners and the public to determine bed availability and services throughout Missouri.

ADDRESSING RESIDENT COMPLAINTS

Most of a regional ombudsman's time is spent investigating complaints brought to the ombudsman by, or on behalf of, long-term care residents.

Top 10 complaints for FFY 2024:



Ombudsman Work Supporting Residents and Facility Staff

The Older Americans Act tasks long-term care ombudsmen not only with addressing individual complaints, but also with being powerful, consistent voices for residents and support for facility staff. Ombudsmen do this by supporting resident and family councils, helping facility staff address complex issues through a residents' rights and person-centered care lens, and providing education to the broader community about long-term care issues and options. In FFY 2024, ombudsmen made a total of 4,637 visits to long-term care facilities to talk with and educate residents and staff, observe the homes, and investigate complaints. They provided information and assistance to 2,315 individuals, acting as a trusted local source of information on topics such as residents' rights, visitation, and selection of a long-term care facility. Community education was provided 73 times. Finally, they provided guidance to facility staff members 761 times.

Ombudsman in Action: Resident complains that he is not offered the opportunity to go outside on a regular basis. Resident states that in the rare instances when he is offered a chance, it is with little or no notice. Resident states that he is unable to "jump right up" and go out, so he misses his opportunity to be outside in the courtyard. Ombudsman and resident brainstormed about what would be most helpful. Resident's desire is that he have regular days and times during the week for going outside, so that he can look forward to it and be prepared in advance. Ombudsman discussed options with Administrator, Director of Nursing and Activity Director. The Activity Director will give the resident a 10–20-minute notice prior to outside activities. Resident states that going outside on a regular basis is now working "like clockwork if they stick to the plan." Resident states that he liked going outside "to get away from these walls."

Barriers of the Missouri Ombudsman Program

Inadequate Resources to Support the Ombudsman Program

More long-term care ombudsmen are needed in Missouri to meet the high, and growing, demand for services. As such, funding is one of the primary barriers to providing excellent ombudsman services to Missouri's long-term care residents. Currently, Missouri has about 81,587 licensed long-term care beds between skilled nursing homes, assisted living facilities, residential care facilities and veterans' homes.

Recommendations

More Staff Ombudsmen are Needed: Support the Office of the State Long-Term Care Ombudsman with Dedicated State Funding

Missouri must significantly increase support for the Long-Term Care Ombudsman Program using state general revenue funding. The Missouri Department of Health and Senior Services contracts with the Area Agencies on Aging regions across Missouri for

the provision of local ombudsman services. An additional $2.425 Million in state general revenue is needed to add additional paid ombudsman.

The Institutes of Medicine (IOM) report, “Real People, Real Problems: Evaluation of the Long-Term Care Ombudsman Programs of the Older Americans Act (1995),” recommends a minimum ratio of one paid ombudsman full-time equivalent (FTE) to 2,000 beds, not including the State Long-Term Care Ombudsman. There has been a significant increase in acuity of long-term care residents since this study was published in 1995, resulting in increasing complexity in ombudsman case work. Nevertheless, the IOM report remains the primary tool with which ombudsman programs assess staffing needs. According to the IOM recommendation, Missouri would need at least 25 additional ombudsmen to be adequately staffed by 1995 standards. Currently, our program is struggling to meet the demand, with approximately one paid ombudsman for every 4,493 long-term care beds.

Ombudsmen are needed more than ever, as residents have many concerns related to insufficient facility staffing which can lead to poor quality of care and abuse/neglect in some cases. The increasing number of residents with complex care needs who depend on our advocacy underscores the necessity for ombudsmen to be present and responsive. Additional ombudsmen are needed to conduct more facility visits to ensure resident safety. Due to our current funding level for staffing, we have many facilities that are only visited a few times a year. This leaves residents at a higher risk for poor outcomes and feeling like they don’t have an advocate, especially for those residents who do not have family. We are also experiencing more facility closures. With the increase in facility closures, a large amount of time is spent assisting residents with the relocation process, taking ombudsmen away from other residents who also need their assistance. Our ombudsmen are stretched too thin to adequately cover over 1,100 facilities across Missouri.

Each additional paid ombudsman increases the program’s capacity to take in new volunteers, therefore additional funding will not only provide more paid ombudsmen staff but will allow us to increase the number of volunteer ombudsmen we can onboard, train and supervise.

Just show me you care

Invisible: Life in a Nursing Home

Don't look the other way just because I am old
I cannot speak, but I'm so very cold
My skin is so thin and my bones have grown bare
Please put on my sweater and show me you care?

My skin is so dry, but I cannot talk
I've lost the ability to move or to walk
The lotion is on my dresser is right over there
Is it asking too much to give me some care?

I sit at dinner here with no one around
Again, I have knocked my cup to the ground
My food is now cold, it's really not fair
Please feed me now and show me you care?

I've sat in this diaper for half of the day
It bothers my skin, but I have no words I can say
I wish so badly you'd just comb my hair
You've walked by me ten times, so I guess you don't care

I'm always so sleepy and there's nothing to do
The days are so long when no one cares about you
My chin rests on my chest sitting here in this chair
Oh what I'd give if just someone would care

I can't use my voice, my hands, or my feet
And I'm so very thirsty, water would be such a treat
Could you give me a sip as I sit in despair?
It would mean so much if you'd just show me you care

You gather to talk and laugh in the hall
Don't you feel like it really takes so much gall
To walk right past me like you're so unaware
That I'm old, that I'm sick, that I need you to care.

If I was your granny would this be okay
For you to walk past and then walk away
Or would you stop, give a smile, and some time to then share
Would you give that to YOUR granny to show her you care?

I'm someone's granny, their mom or their wife
But Alzheimer's took me and changed my whole life
I'm still a human and I'd ask you where.
It says cast me aside and don't give a care

My family has signs all over the room
On how to dress me and how I should be groomed
But none of you read them and seem unaware
That doing those things would show me you care

I have family who love me and come every day
They do what they can but when they're away
With dried food on my face and more stuck in my hair
I wonder why you walk by me as if you don't care?

They lay out my clothes each and every day
My chapstick, my water, my socks, so I'd say
Why can't you give me those clothes with the sweater to wear
And prove to them and to me that you really do care?

Isn't there someone you love whose hair has gone gray
Would it be fine with you if someone treated them this way?
Would you want them to suffer while you were aware
That the people who are supposed to… just really don't care

My children continue to ask every day
Would you do this or that for my mom, and do it this way?
They ask you would help when all I can do is stare
They begged you again today to PLEASE give me some care

Is your phone or that text more important than I?
You spend more time on it than on me, and I ask you why
My most basic needs I had prayed would compare
But it seems I am wrong and you just do not care.

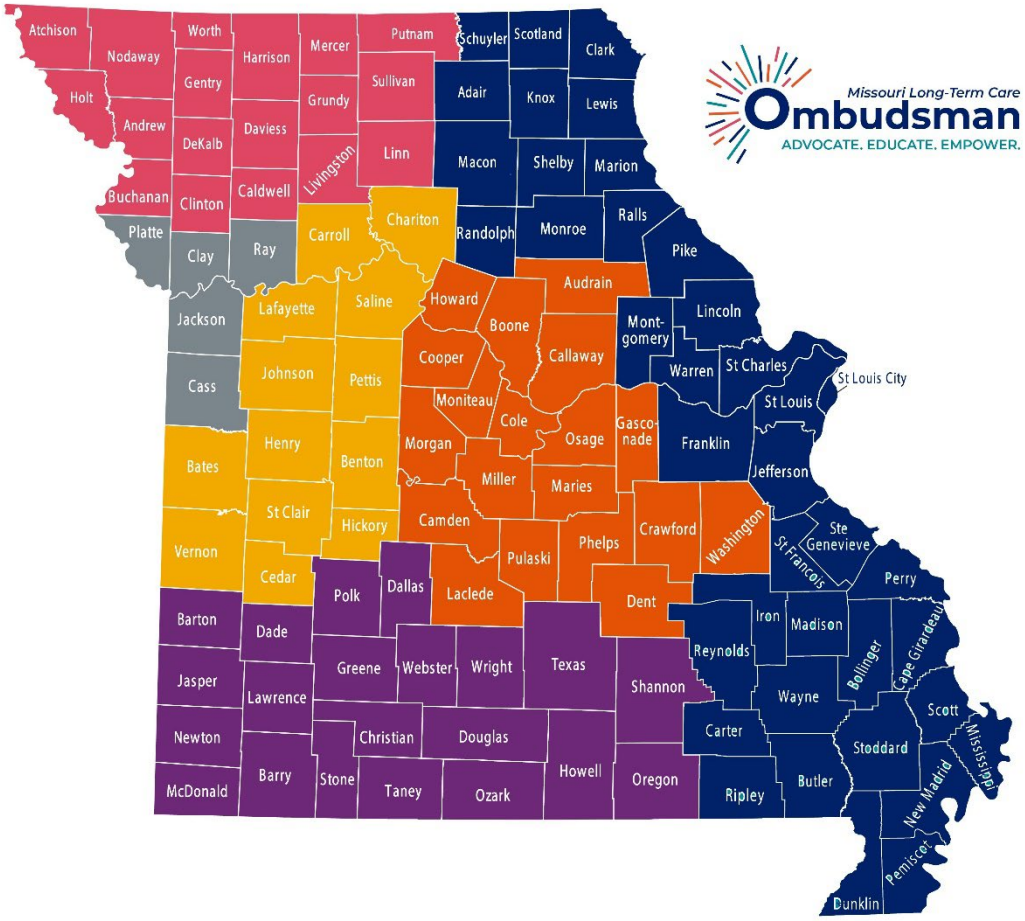
I've tried to be seen with my whimpers and cries
By the sadness and tears that have been on my eyes
So when my time comes and I'm no longer there
It won't be any different, because you still will not care

If I had one last wish that somehow I could make
Just a moment of yours is what I would take
I'd ask you to see me sitting in my wheelchair
To pause with a smile and a word, just to show me you care.

May those that you love never know this kind of sadness
The kind that can drive you straight into madness
Instead would you look at me like one whose life you DO share?
And squeeze my frail hand. Just show me you care.

By Patty Hake, a volunteer Ombudsman whose loved one resided in a long-term care facility.

The Ombudsman Program map below shows the name of the agency and counties they service. The Office also can be reached at 800-309-3282 or LTCOmbudsman@health.mo.gov



Young at Heart Resources
(660) 240-9400
yahrecources.org

VOYCE
(314) 918-8222
voicestl.org

Mid-America Regional Council
(816) 474-4240
marc.org

Aging Best
(573) 443-5823
agingbest.org

Care Connection for Aging Services
(660) 747-3107
goaging.org

Crosslines Community Outreach
(417) 862-3598
ccozarks.org

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